



FOR IMMEDIATE RELEASE
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FORMER CASA GRANDE BORDER PATROL AGENT PLEADS GUILTY TO THEFT

TUCSON – Former United States Border Patrol Agent Paul C. Smith, III, 33, of Arizona City, Ariz., pleaded guilty to Theft of Federal Money, in federal district court in Tucson on May 14.

Smith had been charged with Theft of Public Property and Money. At his change of plea hearing Monday, Smith agreed to pay restitution, resign from the United States Border Patrol, and not seek future employment with local, state or federal law enforcement. Smith also admitted the following facts relating to the offense:

On December 12, 2006, I knowingly used a USBP credit card to make a \$1,000.00 payment at K & C Budget Muffler & Performance in Casa Grande, Arizona, for repairs and enhancements to a friend's golf cart. I knew the card was paid automatically out of USBP funds, with no mechanism available for me to repay it. Thus, I illegally converted USBP monies to pay for my friend's golf cart.

For purposes of relevant conduct and restitution, I also admit that from September 2006 through October 4, 2006, I knowingly sold United States Border Patrol (USBP) owned tires and inner-tubes to K & C Budget Muffler & Performance in Casa Grande, Arizona, and kept the money for my personal use. The month before, I had brokered a deal between a professional motorcycle rider, who had excess new tires to resell, and the owner of K&C, who agreed to purchase the tires for \$50 each and bib mousse inner-tubes for \$100 each. After brokering one legitimate sale from the professional motorcycle rider to K & C, I started taking new tires and inner-tubes from USBP stock, and selling those to K & C under the guise of the "pro rider resale" story. In total, I sold K & C at least 35 tires and 10 bib mousse tubes belonging to the USBP and received checks totaling \$2,750, which I converted to my own use. USBP had originally purchased the tires (\$80.95 each) and bib mousse tubes (\$165.95 each) for a total of \$4,492.75. I knew it was illegal to take the government owned tires and inner-tubes and resell them for personal gain.

A conviction for Theft of Public Money carries a maximum penalty of one year, a \$100,000 fine or both. In determining an actual sentence, Chief Judge John M. Roll will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

Sentencing is set before Chief Judge Roll on August 14, 2007.

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The investigation in this case was conducted by Department of Homeland Security Office of Inspector General. The prosecution is being handled by Mary Sue Feldmeier, Assistant U.S. Attorney, District of Arizona, Tucson.

CASE NUMBER: CR 06-2166-TUC-JMR (HCE)
RELEASE NUMBER: 2007-128(Smith)

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